

Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Telephone: (212) 589-4200
Facsimile: (212) 589-4201
David J. Sheehan
Jorian L. Rose
Amy E. Vanderwal
Jason I. Blanchard

Hearing Date: March 28, 2018
Hearing Time: 10:00 a.m. (EST)
Objections Due: March 14, 2018
Objection Time: 4:00 p.m. (EST)

*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Adv. Pro. No. 08-01789 (SMB)

Plaintiff-Applicant,

SIPA LIQUIDATION

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

(Substantively Consolidated)

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

**CERTIFICATE OF NO OBJECTION TO
TRUSTEE'S TWELFTH OMNIBUS MOTION TO DISALLOW CLAIMS AND
OVERRULE OBJECTIONS OF CLAIMANTS WHO HAVE NO NET EQUITY**

Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff, by and through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule

9075-2, and respectfully represents:

1. On February 14, 2018, the Trustee filed the Trustee's Twelfth Omnibus Motion to Disallow Claims and Overrule Objections of Claimants Who Have No Net Equity (the "Motion") (ECF No. 17237), together with the Declaration of Vineet Sehgal (ECF No. 17238) in support of the Motion.

2. The deadline for filing objections to the Motion expired on March 14, 2018 at 4:00 p.m.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to (i) claimants listed in Exhibit B annexed to the Motion (the "Claimants"); (ii) all parties included in the Master Service List as defined in the Order Establishing Notice Procedures (ECF No. 4560); (iii) all parties that have filed a notice of appearance in this case; (iv) the SEC; (v) the IRS; (vi) the United States Attorney for the Southern District of New York; and (vii) the Securities Investor Protection Corporation, pursuant to the Order Establishing Notice Procedures (ECF No. 4560).

4. On March 14, 2018, Peter Moskowitz ("Moskowitz") filed a Request for Adjournment and Extension of Time to File Written Objections with respect to the Motion (the "Adjournment Request") (ECF No. 17333).

5. On March 15, 2018, the Court entered a Memorandum Order endorsing the Adjournment Request, which directed Moskowitz to discuss an adjournment and extension of time with the Trustee (ECF No. 17335).

6. On March 16, 2018, the Trustee and Moskowitz entered into a stipulation (the “Stipulation”) agreeing to adjourn the hearing regarding the portion of the Motion addressing Moskowitz’s claims and related objection (ECF No. 1030) (the “Claims and Objection”) to May 30, 2018 at 10:00 a.m. and extend the time for Moskowitz to file an objection to the Motion to May 2, 2018.

7. On March 20, 2018, the Court so ordered the Stipulation (ECF No. 17383).

8. Counsel for the Trustee reviewed the Court’s docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion, other than the Adjournment Request, appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

9. An electronic copy of a proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion, and Exhibit A thereto, and which excludes Moskowitz’s Claims and Objection, will be submitted to the Court along with this certificate.

10. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing, but notes that the Claimants subject to the Motion are both *pro se* and represented by counsel.

Dated: New York, New York
March 20, 2018

Respectfully submitted,

/s/ David J. Sheehan

David J. Sheehan
Email: dsheehan@bakerlaw.com
Jorian L. Rose
Email: jrose@bakerlaw.com
Amy E. Vanderwal
Email: avanderwal@bakerlaw.com
Jason I. Blanchard
Email: jblanchard@bakerlaw.com
Baker & Hostetler LLP
45 Rockefeller Plaza
New York, New York 10111
Tel: (212) 589-4200
Fax: (212) 589-4201

*Attorneys for Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Chapter 7 Estate of Bernard L. Madoff*